

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE GENETICALLY MODIFIED) Case No. 4:06MD1811 CDP
RICE LITIGATION) ALL CASES

CASE MANAGEMENT ORDER No. 17

For reasons stated on the record during the May 21, 2009 telephone conference,

IT IS HEREBY ORDERED that:

I. REBUTTAL EXPERTS

Rebuttal and surrebuttal experts are required to submit reports in accordance with Fed. R. Civ. P. 26(a)(2). However, rebuttal and surrebuttal experts are not required to sit for depositions except in cases where (a) the expert is a new expert who has not been previously deposed; or (b) the expert bases his or her rebuttal or surrebuttal opinion on new data sources or new methodologies about which he or she has not been previously deposed.

II. ADDITIONAL TEXAS CASES FOR REMAND

No later than **June 12, 2009**, lead counsel from each side will select two additional cases (for a total of four cases) from the Southern District of Texas that will be added to the first group of cases to be remanded. For these four cases, amendments of pleadings shall be due no later than **July 15, 2009**. In all other respects, these cases shall be governed by the deadlines set forth in CMO 16 for the first group of cases to be remanded.

III. ADDITIONAL TELEPHONE CONFERENCES

Additional monthly telephone conferences with lead counsel will be as follows. Except for the conferences that are combined with final pretrial conferences in the courtroom, plaintiffs' lead counsel will place the call and make arrangements for having all counsel who wish to participate on the line. For the

conferences that are combined with final pretrial conferences in the courtroom, the Court will arrange the call and provide a call-in number. All calls will be on the record. One week in advance of each call, lead counsel shall file a joint status report setting out the current status of the work and any topics they wish to address during the conferences. The dates and times for the conferences are:

Thursday, August 27, 2009 at 12:30 p.m.

Thursday, September 24, 2009 at 12:30 p.m.

Thursday, October 29, 2009 in Courtroom 14-South
(immediately following the 10:00 a.m. final pretrial conference for the first bellwether trial).

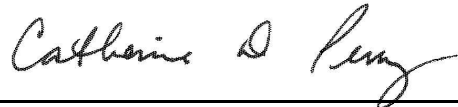
Thursday, December 3, 2009 at 12:30 p.m.

January 7, 2010 in Courtroom 14-South
(immediately following the 10:00 a.m. final pretrial conference for the third bellwether trial).

Thursday, February 11, 2010 at 12:30 p.m.

Thursday, March 11, 2010 at 12:30 p.m.

Thursday, April 15, 2010 in Courtroom 14-South
(immediately following the 10:00 a.m. final pretrial conference for the *Riviana* trial).



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of May, 2009.